

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

TERRY LEE, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 3:99-CV-459
	)	(Guyton)
TENNESSEE VALLEY AUTHORITY,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter came before the undersigned on December 8, 2005 for a hearing on the Plaintiffs' Motion in Limine Concerning Plaintiffs' Entitlement to Overtime in Light of Job Duties as Opposed to Titles [Doc. 71] and Defendant's First Motion in Limine [Doc. 73]. Participating on behalf of the Plaintiffs was attorney Cecilia Petersen. Participating on behalf of the Defendants were attorneys Thomas Fine and John Slater.

Upon review of the pleadings, the Court finds that the parties' respective motions [Docs. 71, 73] are not well-taken and should be **DENIED**. Plaintiff Phillip Grooms will be permitted to present evidence regarding his purported entitlement to overtime compensation from February 9, 2004 to the present. William Gamble will be permitted to testify, and his trial testimony in Beene v. TVA, 3:99-cv-350 shall not be stricken from the Plaintiffs' exhibit list. Finally, the Court will apply the law of the Sixth Circuit to all claims pending in this litigation.

**IT IS SO ORDERED.**

ENTER:

s/ H. Bruce Guyton  
United States Magistrate Judge